1 2 3 4 5 6 7 8 9 10 11 12 13 UNITED STATES DISTRICT COURT 14 DISTRICT OF NEVADA 15 HP TUNERS, LLC, a Nevada limited liability Case No. 3:18-cv-00527-LRH-WGC company, 16 Plaintiff, **ORDER GRANTING STIPULATION** 17 TO WITHDRAW JURY DEMANDS 18 AND TO PROCEED BY BENCH VS. **TRIAL** 19 KENNETH CANNATA, 20 Defendant. 21 Pursuant to Fed. R. Civ. P. 38(d), Plaintiff HP Tuners, LLC ("HP Tuners" or "Plaintiff") 22 and Defendant Kenneth Cannata ("Cannata" or "Defendant") (together, the "Parties"), by and 23 through their respective counsel, hereby file this Stipulation to Withdraw Jury Demands and to 24 Proceed by Bench Trial. 25 1. In its Complaint for Injunctive Relief and Damages, Plaintiff demanded a jury trial 26 consistent with Fed. R. Civ. P. 38(b) and LR 38-1. Docket No. 1. 27

1	2. In his Answer to Complaint for Injunctive Relief and Damages, Defendant	
2	demanded a jury trial pursuant to Fed. R. Civ. P. 38(b). Docket No. 45.	
3	3. In the <u>Joint Pretrial Order</u> , the parties informed the Court of their intention to	
4	stipulate to waive their respective requests for a trial by jury in this matter and to proceed with a	
5	bench trial. Docket No. 171, p. 19, 11. 13-14.	
6	4. Pursuant to Fed. R. Civ. P. 38(d), the Parties hereby withdraw their respective	
7	demands to proceed with trial by jury in this matter.	
8	5. The Parties further stipulate and con	sent to proceed with a bench trial.
9	DATED this 9th day of December, 2022.	
10	FLETCHER & LEE	SHEA LARSEN
11	/s/ Elizabeth Fletcher, Esq.	/s/ Bart Larsen, Esq.
12	ELIZABETH FLETCHER, ESQ. CECILIA LEE, ESQ.	BART LARSEN, ESQ. Attorney for Defendant, Kenneth Cannata
13	Marks & Klein	
14	/s/ Andrew P. Bleiman, Esq.	
15	ANDREW P. BLEIMAN, ESQ.	
16	Attorneys for Plaintiff HP Tuners, LLC	
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18	IT IS SO ORDERED.	
19	Jane Horan Hora	DATED: December 12, 2022
20	HONORABLE LARRY R. HICKS UNITED STATES DISTRICT JUDGE	
21	CIVILED STRILLS BISTRICT VODGE	
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